

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
and STATE OF WASHINGTON, *ex*
rel. JULIAN P. KASSNER, M.D.,

Plaintiff,

v.

KADLEC REGIONAL MEDICAL
CENTER, et al.,

Defendants.

NO: 12-CV-5090-TOR

ORDER OF DISMISSAL
WITHOUT PREJUDICE

BEFORE THE COURT is Plaintiff's Motion to Dismiss Without Prejudice (ECF No. 8). Plaintiff filed a motion to voluntarily dismiss this case without prejudice on January 9, 2013. ECF No. 8. The United States and the State of Washington previously declined to intervene. ECF Nos. 5, 6. Both have since consented to dismissal. ECF Nos. 11, 12. Defendants have not been served, and Plaintiff indicates he does not intend to effectuate service of process. Because Defendants have neither filed an answer nor moved for summary judgment,

1 Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P.
2 41(a)(1)(A)(i).

3 **ACCORDINGLY, IT IS HEREBY ORDERED:**


4 Plaintiff's Motion to Dismiss Without Prejudice (ECF No. 8) is
5 **GRANTED**. All claims and causes of action in this matter are **DISMISSED**
6 without prejudice and without costs or fees to any party.

7 The District Court Executive is hereby directed to enter this Order, furnish
8 copies to counsel and the Interested Parties, and **CLOSE** the file. The District
9 Court Executive is further directed to mail a copy of this Order to the Medicaid
10 Fraud Control Unit of the Washington Attorney General's Office at the address
11 below:

12 Washington Attorney General's Office
13 Medicaid Fraud Control Unit
14 P.O. Box 40114
Olympia, WA 98504-0114

15 **DATED** this 1st day of February, 2013.




THOMAS O. RICE
United States District Judge